

The Gazette of India

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No. 4] NEW DELHI, MONDAY, FEBRUARY 22, 1960/PHALGUNA 3, 1881

LOK SABHA

The following Bill was introduced in Lok Sabha on the 22nd February, 1960:—

BILL No. 5 OF 1960

A Bill to provide for the repeal of the municipal law in force in the Union territory of Tripura.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

1. This Act may be called the Tripura Municipal Law (Repeal) Act, 1960. Short title.

Bengal Act 5 2. On and from the date on which the Bengal Municipal Act, 1932, is extended by notification under section 2 of the Union Territories (Laws) Act, 1950, to the Union territory of Tripura, the Tripura State Municipal Act, 1349 T.E., shall stand repealed. Repeal of Tripura State Municipal Act.

2 of 1349 3. (1) The repeal of the Tripura State Municipal Act, 1349 T.E., Savings.
T.E. 10 by section 2 shall not affect—

(a) the previous operation of that Act or anything duly done or suffered thereunder,

(b) any right, privilege, obligation or liability acquired, accrued or incurred under that Act,

15 (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against that Act, or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if that Act had not been repealed.

(2) Subject to the provisions contained in sub-section (1), anything done or any action taken (including any municipality constituted, appointment or delegation made, notification, instruction or direction issued, form, bye-law or scheme framed, certificate obtained, permit or licence granted or registration effected, or order of supersession issued) under the Act repealed by section 2 shall be deemed to have been done or taken under the corresponding provision of the Bengal Municipal Act, 1932, extended by notification as provided in that section to the Union territory of Tripura, and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the Act so extended.

Bengal Act
XV of 1932.

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(3) Notwithstanding the repeal by section 2 of the Tripura State Municipal Act, 1349 T.E., the Chief Commissioner may, with the approval of the Central Government, direct, by notification in the Tripura Gazette, whether prospectively or retrospectively, that any of the taxes leviable under the repealed Act shall continue to be levied for such time and under such conditions as may be specified in the notification, and on the issue of any such notification, the provisions of the repealed Act, in so far as they relate to the assessment, levy, collection and recovery of such tax and to matters incidental thereto, shall apply in relation to the tax so continued as if the said provisions had not been repealed.

2 of 1349
T.E.

STATEMENT OF OBJECTS AND REASONS

The Tripura Municipal Act passed in the year 1939 by the then State of Tripura is inadequate for the purpose of meeting the requirements of a modern municipal town. For example, that Act contains no provision for the levy of taxes in respect of municipal services, thereby limiting the resources of the municipality. The provisions made in that Act with respect to elections, apart from being inadequate, are far from clear. In the circumstances, it is considered desirable to replace that Act by the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), which is more exhaustive.

2. Under section 2 of the Union Territories (Laws) Act, 1950, an enactment in force in a State may be extended to the Union territory by notification, but the corresponding law in force in the Union territory cannot be so repealed. Hence the Bill which provides that on the day on which the Bengal Municipal Act, 1932, is extended to Tripura, the Tripura State Municipal Act, 1349 T.E shall stand repealed.

D. P. KARMARKAR

NEW DELHI;
The 2nd February, 1960.

M. N. KAUL,
Secretary.

